

Resolution Admonishing and Censuring Judge Don M. Torgerson

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

LONG TITLE**General Description:**

This resolution admonishes and censures Judge Don M. Torgerson.

Highlighted Provisions:

This resolution:

▸ recognizes the importance of protecting children from sexual exploitation and assault and the lifelong impact of sexual exploitation on child victims and their families;

▸ censures Judge Don M. Torgerson for his statements made during a sentencing hearing for a defendant convicted of child sexual exploitation; and

▸ expresses disappointment that the Utah State Courts provided inaccurate information about Judge Torgerson's statements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Be it resolved by the House of Representatives of the state of Utah:

WHEREAS, protecting children from sexual exploitation and assault, and recognizing the lifelong impacts child victims and their families bear, is paramount to the Legislature and the citizens of Utah;

WHEREAS, Judge Don M. Torgerson was appointed to and currently serves in the Seventh District Court of Utah;

WHEREAS, Judge Torgerson swore a constitutional oath that he would discharge the duties of his office with fidelity;

WHEREAS, on May 20, 2025, Judge Torgerson presided over the sentencing hearing of a defendant who was convicted of felony child sexual exploitation for possessing multiple images and videos of prepubescent children being raped or sexually assaulted;

WHEREAS, Judge Torgerson, after reviewing two of the illicit videos that were in the defendant's possession involving the sexual assault of children, commented, "I've seen worse";

32 WHEREAS, at the hearing, Judge Torgerson sentenced the 22-year old defendant to 112
33 days already served in jail, despite the presentence investigation report's recommended 210
34 days of jail time and the prosecutor's request for prison time to reflect the defendant's
35 horrendous crimes;

36 WHEREAS, Judge Torgerson commented that the served time was a lot of jail time for
37 someone the defendant's age "who comes from some level of privilege";

38 WHEREAS, Judge Torgerson stated that the defendant could help others in the defendant's
39 situation and had more of a voice than some because the defendant comes from a background
40 of some privilege, indicating that this opportunity was a consideration for issuing a lighter
41 sentence;

42 WHEREAS, while public officials, including judges, may occasionally misspeak or poorly
43 phrase their thoughts when speaking extemporaneously, at those times the correct course of
44 action is to take responsibility for any misstatements and apologize;

45 WHEREAS, after a news outlet reported Judge Torgerson's decision and remarks, the Utah
46 State Courts did not denounce Judge Torgerson's comments, but rather issued a statement on
47 May 28, 2025, suggesting that the prosecutor had agreed to probation rather than time
48 incarcerated in prison;

49 WHEREAS, despite the Utah State Courts' statement to the contrary, the plea agreement
50 clearly states that the prosecutor did not agree to an amount of incarceration time and the
51 prosecutor actually requested in the hearing that the defendant serve prison time;

52 WHEREAS, the Preamble to the Utah Code of Judicial Conduct (UCJC) states that,
53 "judges, individually and collectively, must respect and honor the judicial office as a public
54 trust and strive to maintain and enhance confidence in the legal system";

55 WHEREAS, UCJC Rule 1.2 states, "A judge should act at all times in a manner that
56 promotes-and shall not undermine-public confidence in the independence, integrity, and
57 impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety";
58 and

59 WHEREAS, UCJC Rule 2.3 states, "A judge shall not, in the performance of judicial
60 duties, by words or conduct manifest bias or prejudice or engage in harassment, including but
61 not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national
62 origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or
63 political affiliation. . .":

64 NOW, THEREFORE, BE IT RESOLVED that the Utah House of Representatives strongly
65 condemns Judge Torgerson's statements minimizing the severity of child rape.

66 BE IT FURTHER RESOLVED that the Utah House of Representatives condemns Judge
67 Torgerson's calculation that a defendant's privilege qualifies the defendant for a lighter
68 sentence despite the defendant's heinous actions victimizing vulnerable children.

69 BE IT FURTHER RESOLVED that the Utah House of Representatives finds Judge
70 Torgerson's conduct prejudicial to the administration of justice and brings his judicial office
71 into disrepute.

72 BE IT FURTHER RESOLVED that the Utah House of Representatives hereby censures
73 Judge Torgerson for his conduct.

74 BE IT FURTHER RESOLVED that the Utah House of Representatives is disappointed in
75 the Utah State Courts' inaccurate statement defending Judge Torgerson.

76 BE IT FURTHER RESOLVED that a copy of this resolution be sent to Judge Torgerson,
77 the Judicial Conduct Commission, and the Judicial Council, and be recorded on the pages of
78 the House Journal.